

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

RONALD LOVELADY, # 32761-177, §
§
Petitioner, § Civil Action No. **3:07-CV-2066-L**
v. §
§
DAVID BERKEBILE, §
§
Respondent. §

ORDER

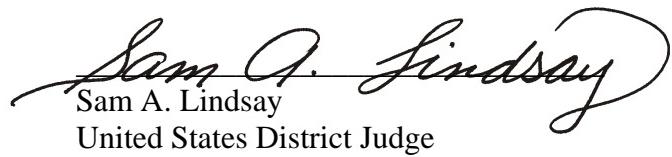
Before the court are Lovelady's Petition for Writ of Habeas Corpus, filed December 11, 2007; and Respondent's Motion to Dismiss or Deny Petition for Writ of Habeas Corpus, filed January 14, 2008. Pursuant to Special Order 3-251, the petition was referred to United States Magistrate Judge Wm. F. Sanderson, Jr., on December 11, 2007. On July 28, 2008, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge ("Report") was filed. No objections to the Report have been filed.

This is a habeas petition filed pursuant to 28 U.S.C. § 2241. The magistrate judge found that the court lacks jurisdiction over Petitioner's claims because his challenges to 28 C.F.R. §§ 570.20 and 570.21 and Program Statement 7310.04 ("PS 7310.04") are rendered moot by the enactment of the Second Chance Act of 2007, Pub. L. No. 110-199, Title II, § 251(a), 122 Stat. 692 (Apr. 9, 2008).

Having reviewed the petition, file, record, and the Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses** Lovelady's Petition for Writ

of Habeas Corpus for want of jurisdiction and **denies as moot** Respondent's Motion to Dismiss or Deny Petition for Writ of Habeas Corpus.

It is so ordered this 27th day of August, 2008.



Sam A. Lindsay
United States District Judge